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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 JASON HARPER,

12 Plaintiff,

13 v.

14 JEFF BLAZO,

15 Defendant.
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Case No. 1:17-cv-01717-LJO-EPG (PC)

ORDER RE: STIPULATION FOR
VOLUNTARILY DISMISSAL WITH
PREJUDICE

(ECF NO. 73)

17 Jason Harper (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in
18 this civil rights action filed pursuant to 42 U.S.C. § 1983.

19 On September 16, 2019, the parties filed a document titled “Stipulation for Voluntary
20 Dismissal With Prejudice (Fed. R. Civ. P. 41(a)(1)(A)(ii)).” (ECF No. 73). The document
21 states that the parties “have resolved this case in its entirety,” and that they “stipulate to a
22 dismissal of this action with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).”
23 (Id. at 1). However, Plaintiff included the language “Without Prejudice/UCC 1308” with his
24 signature. (Id. at 2).

25 Given the language Plaintiff included with his signature, it is unclear if Plaintiff
26 intended to voluntarily dismiss this case with prejudice.

27 Accordingly, IT IS ORDERED that the parties have twenty-one days from the date of
28

1 service of this order to re-file the stipulation without the additional language Plaintiff included
2 with his signature. If Plaintiff will not agree to sign an updated stipulation without the
3 additional language, each party may instead file a brief regarding the effect of the additional
4 language on the stipulation.

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6 IT IS SO ORDERED.

7 Dated: September 17, 2019

8 /s/ Eric P. Groj
9 UNITED STATES MAGISTRATE JUDGE
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